



Senate

General Assembly

February Session, 2016

File No. 324

Senate Bill No. 326

Senate, March 30, 2016

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE INDEMNIFICATION OF LAW ENFORCEMENT PROFESSIONALS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53-39a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2016*):

3 Whenever, in any prosecution of [an officer of the Division of State
4 Police within the Department of Emergency Services and Public
5 Protection, or a member of the Office of State Capitol Police or] any
6 member of a law enforcement unit, as defined in section 7-294a, any
7 person appointed under section 29-18 as a special policeman for the
8 State Capitol building and grounds, the Legislative Office Building
9 and parking garage and related structures and facilities, and other
10 areas under the supervision and control of the Joint Committee on
11 Legislative Management, or [a local police department] any inspector
12 in the Division of Criminal Justice for a crime allegedly committed by
13 such [officer] person in the course of [his] duty, [as such,] the charge is
14 dismissed or the [officer] person found not guilty, such [officer] person

15 shall be indemnified by [his] such person's employing governmental
16 unit for economic loss sustained by [him] such person as a result of
17 such prosecution, including the payment of attorney's fees and costs
18 incurred during the prosecution and the enforcement of this section.
19 Such [officer] person may bring an action in the Superior Court against
20 such employing governmental unit to enforce the provisions of this
21 section.

| | | |
|---|-----------------|--------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | October 1, 2016 | 53-39a |

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:***

| Agency Affected | Fund-Effect | FY 17 \$ | FY 18 \$ |
|------------------------|--------------------------|-----------------|-----------------|
| Various State Agencies | Various - Potential Cost | See Below | See Below |

Note: Various=Various

Municipal Impact: None***Explanation***

The bill results in a potential cost by extending indemnification coverage to all law enforcement unit members and inspectors of the Division of Criminal Justice, current law provides this coverage to all state, local, or State Capitol police. Any potential cost to the state would be for any economic loss, including legal representation, for a law enforcement member who is exonerated for the crime.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**SB 326*****AN ACT CONCERNING THE INDEMNIFICATION OF LAW ENFORCEMENT PROFESSIONALS.*****SUMMARY:**

Under current law, a state, local, or State Capitol police officer who is found not guilty or has charges dismissed in a prosecution for a crime allegedly committed in the course of duty must be indemnified by his or her employer for economic loss, including legal fees. This bill extends this protection to all (1) law enforcement unit members as defined in existing law and (2) inspectors in the Criminal Justice Division. By law, a law enforcement unit is an agency, organization, or department (including the Mashantucket Pequot and Mohegan tribes' police departments), whose primary function includes enforcing criminal or traffic laws; preserving public order; protecting life and property; or preventing, detecting, or investigating crime

EFFECTIVE DATE: October 1, 2016

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 42 Nay 0 (03/16/2016)